

**SAN ANTONIO ZONING COMMISSION
OFFICIAL MINUTES
September 16, 2008**

1. The Zoning Commission of the City of San Antonio met in the 1st Floor, Board Room of the Cliff Morton Development and Business Services Center at 1901 S. Alamo.
2. Roll Call.

PRESENT: Sherrill, Robbins, J. Valadez, Westheimer, Gadberry, Myers, Wright,
Martinez, R. Valadez, Gray

ABSENT: Hawkins

3. Director's Report.
4. Approval of September 2, 2008 Minutes.

COMMISSION ACTION

AYES: Sherrill, Robbins, J. Valadez, Westheimer, Gadberry, Myers, Gray

NAYS: None

ABSTAIN: R. Valadez

1:00 PM – Public Hearing

CONSENT ZONING

Commissioner Gadberry made a motion to approve the following rezoning cases with conditions and amendments as staff has recommended. Additionally, no citizens have signed to speak in opposition on the said cases: items 13, 18, 19, 24, 25, 26, 27, 28, 29 and 30. The motion was seconded by Commissioner R. Valadez.

5. **ZONING CASE NUMBER Z2008239 (Council District 8):** A request for a change in zoning from "R-6" Residential Single-Family District to "HE R-6" Historic Exceptional, Residential Single-Family District on 20.0 acres out of CB 4531, also known as Parcel P-2, NCB 18157, 11025 Pomona Park Drive. Staff recommends approval.

This case was approved by consent.

Staff stated the applicant has amended the request to reduce the acreage on the property. They are now looking at 0.4634 acres out of CB 4531.

The following citizen(s) appeared to speak:

Bernard Fischman, representative, stated he has been working with City staff regarding this request.

Rollette Schreckenghost, representing San Antonio Conservation Society, stated they are in support of this request.

Staff stated there were 132 notices mailed out to the surrounding property owners, 2 returned in opposition and 14 returned in favor and Parkwood Neighborhood Association is in favor.

COMMISSION ACTION

The motion was made by Commissioner Gadberry and seconded by Commissioner R. Valadez to recommend approval.

AYES: Sherrill, Robbins, J. Valadez, Gadberry, Myers, R. Valadez, Gray

NAY: None

THE MOTION CARRIED

6. ZONING CASE NUMBER Z2008243 (Council District 8): A request for a change in zoning from "MF-33" Multi Family District to "C-1" Light Commercial District (0.901 acres) and "O-2" Office District (1.226 acres) on 2.12 acres out of NCB 14281 (P-116, NCB 14281), 4100 block of Gardendale Drive. Staff recommends approval.

This case was approved by consent.

Staff stated there were 22 notices mailed out to the surrounding property owners, 0 returned in opposition and 0 returned in favor.

COMMISSION ACTION

The motion was made by Commissioner Gadberry and seconded by Commissioner R. Valadez to recommend approval.

AYES: Sherrill, Robbins, J. Valadez, Gadberry, Myers, R. Valadez, Gray

NAY: None

THE MOTION CARRIED

7. ZONING CASE NUMBER Z2008245 (Council District 8): A request for a change in zoning from "C-3" General Commercial District to "MF-25" Multi-Family District on 25.459 acres out of CB 4443, 10422 Huebner Road. Staff recommends approval.

This case was approved by consent.

Staff stated there were 21 notices mailed out to the surrounding property owners, 0 returned in opposition and 2 returned in favor and Oakland Estate Neighborhood Association is in favor.

COMMISSION ACTION

The motion was made by Commissioner Gadberry and seconded by Commissioner R. Valadez to recommend approval.

AYES: Sherrill, Robbins, J. Valadez, Gadberry, Myers, R. Valadez, Gray

NAY: None

THE MOTION CARRIED

8. ZONING CASE NUMBER Z2008254 (Council District 10): A request for a change in zoning from "R-6" Residential Single-Family District to "I-1" General Industrial District on Lot 16, Lot 17 and Lot 18, NCB 15687, 4317 Stahl Road. Staff recommends denial as requested with an alternate recommendation of "I-1" and "C-3NA".

This case was approved by consent.

Andy Guerrero, representative, stated they are in agreement with staff's recommendation and would like to amend their request to "C-3NA" and "I-1".

Staff stated there were 17 notices mailed out to the surrounding property owners, 0 returned in opposition and 3 returned in favor and Northern Hills Homeowners Association is in favor.

COMMISSION ACTION

The motion was made by Commissioner Gadberry and seconded by Commissioner R. Valadez to recommend approval.

AYES: Sherrill, Robbins, J. Valadez, Gadberry, Myers, R. Valadez, Gray

NAY: None

THE MOTION CARRIED

9. ZONING CASE NUMBER Z2008257 (Council District 5): A request for a change in zoning from "R-4" Residential Single-Family District to "C-2NA" Commercial, Nonalcoholic Sales District on Lot 4, Block 19, NCB 2331, 2416 Buena Vista. Staff recommends denial of "C-2NA" with an alternate recommendation of "C-2 P NA".

This case was approved by consent.

Diane Esquivel, representative, stated they are in agreement of staff recommendation and would like to amend their request to "C-2 P NA".

Staff stated there were 27 notices mailed out to the surrounding property owners, 1 returned in opposition and 1 returned in favor. Staff mailed 22 notices to the Planning Team.

COMMISSION ACTION

The motion was made by Commissioner Gadberry and seconded by Commissioner R. Valadez to recommend approval.

AYES: Sherrill, Robbins, J. Valadez, Gadberry, Myers, R. Valadez, Gray

NAY: None

THE MOTION CARRIED

10. ZONING CASE NUMBER Z2008259 (Council District 7): A request for a change in zoning from "C-2NA" Commercial, Nonalcoholic Sales District to "C-3NA" General Commercial, Nonalcoholic Sales District on a 566.44 square foot space out of Lot 1, Block 1, NCB 1736, 4436 Culebra Road. Staff recommends approval.

This case was approved by consent.

Staff stated there were 11 notices mailed out to the surrounding property owners, 0 returned in opposition and 2 returned in favor and Culebra Park Neighborhood Association is in favor. Staff also received a petition from the applicant with 9 signatures in support.

COMMISSION ACTION

The motion was made by Commissioner Gadberry and seconded by Commissioner R. Valadez to recommend approval.

AYES: Sherrill, Robbins, J. Valadez, Gadberry, Myers, R. Valadez, Gray

NAY: None

THE MOTION CARRIED

11. ZONING CASE NUMBER Z2008260 (Council District 2): A request for a change in zoning from "I-1" General Industrial District to "C-3" General Commercial District on Lot 2, NCB 14525, 4641 Goldfield Street. Staff recommends approval.

This case was approved by consent.

Staff stated there were 23 notices mailed out to the surrounding property owners, 0 returned in opposition and 1 returned in favor and Park Village Neighborhood Association is in favor.

COMMISSION ACTION

The motion was made by Commissioner Gadberry and seconded by Commissioner R. Valadez to recommend approval.

AYES: Sherrill, Robbins, J. Valadez, Gadberry, Myers, R. Valadez, Gray

NAY: None

THE MOTION CARRIED

12. ZONING CASE NUMBER Z2008261 (Council District 5): A request for a change in zoning from "I-1" General Industrial District to "L" Light Industrial District on Lot 31, Block A, NCB 2523, save and except a portion of land described as 0.0087 acres out of Lot 31, NCB 2523, 1706 South Zarzamora. Staff recommends approval.

This case was approved by consent.

Staff stated there were 14 notices mailed out to the surrounding property owners, 0 returned in opposition and 0 returned in favor.

COMMISSION ACTION

The motion was made by Commissioner Gadberry and seconded by Commissioner R. Valadez to recommend approval.

AYES: Sherrill, Robbins, J. Valadez, Gadberry, Myers, R. Valadez, Gray

NAY: None

THE MOTION CARRIED

13. ZONING CASE NUMBER Z2008262 (Council District 8): A request for a change in zoning from "C-2" Commercial District and "O-2" Office District to "C-3" General Commercial District on Lot 11, Block 24, NCB 13559, 9455 IH 10 West. Staff recommends approval.

This case was approved by consent.

Frank Burney, representative, stated they have met with the property owners and have tentatively reached an agreement for some deed restrictions. He stated they will continue to work with Councilwoman Cibrian's Office to resolve any other issues.

Ted Trakas, President of Vance Jackson Neighborhood Association, stated they have been working with Mr. Burney and Councilwoman Cibrian's Office and are in support of this request.

Staff stated there were 16 notices mailed out to the surrounding property owners, 3 returned in opposition and 0 returned in favor and Vance Jackson Neighborhood is in favor.

COMMISSION ACTION

The motion was made by Commissioner Gadberry and seconded by Commissioner R. Valadez to recommend approval.

AYES: Sherrill, Robbins, J. Valadez, Gadberry, Myers, R. Valadez, Gray

NAY: None

THE MOTION CARRIED

14. ZONING CASE NUMBER Z2008263 CD (Council District 5): A request for a change in zoning from "C-3R CD" (CD-Lumberyard and Building Materials with Outside Storage) General Commercial Restrictive Alcohol Sales District with a Conditional Use for a Lumberyard and Building Materials with Outside Storage and "C-3R" General Commercial Restrictive Alcohol Sales District to "C-3 CD" (CD-Lumberyard and Building Materials with Outside Storage) General Commercial District with a Conditional Use for a Lumberyard and Building Materials with Outside Storage on 1.392 acres out of NCB 8204, 4638 and 4610 West Commerce Street. Staff recommends the conditions listed to help eliminate any potentially negative impact on nearby residences:

1. Outside storage shall be screened along public view.
2. Outdoor lighting shall be arranged so the source of light is concealed from the nearby residential properties through the use of directional fixtures of ninety (90) degrees or less.
3. A minimum 10-foot "Type A" landscaped buffer shall be maintained for the property lines along Alta Sita Street and Southwest 30th Street. As per the Unified Development Code (Table 510-1) a minimum 15-foot "Type B" landscaped buffer shall be maintained for the property line along West Commerce Street.

This case was approved by consent.

Staff stated there were 44 notices mailed out to the surrounding property owners, 0 returned in opposition and 3 returned in favor and Prospect Hill Neighborhood Association is in favor.

COMMISSION ACTION

The motion was made by Commissioner Gadberry and seconded by Commissioner R. Valadez to recommend approval.

AYES: Sherrill, Robbins, J. Valadez, Gadberry, Myers, R. Valadez, Gray

NAY: None

THE MOTION CARRIED

INDIVIDUAL CONSIDERATION:

15. ZONING CASE NUMBER Z2008147 ERZD (Council District 8): A request for a change in zoning from "R-6 CD ERZD" Residential Single-Family Edwards Recharge Zone District with a Conditional Use for a Private High School to "O-1 ERZD" Office Edwards Recharge Zone District (1.6350 acres) and "O-2 ERZD" Office Edwards Recharge Zone District (11.9523 acres) on 13.5873 acres out of NCB 17627 and NCB 18598, 4150 DeZavala Road. Staff recommends approval.

Patrick Christensen, representative, stated he would like to request a continuance to meet with the neighborhood association.

Staff stated there were 54 notices mailed out to the surrounding property owners, 5 returned in opposition and 3 returned in favor

COMMISSION ACTION

The motion was made by Commissioner R. Valadez and seconded by Commissioner Robbins to recommend a continuance until October 7, 2008.

AYES: Sherrill, Robbins, J. Valadez, Gadberry, Myers, R. Valadez, Gray

NAY: None

THE MOTION CARRIED

16. ZONING CASE NUMBER Z2008232 ERZD (Council District 6): A request for a change in zoning from "DR ERZD" Development Reserve Edwards Recharge Zone District to "HE DR ERZD" Historic Exceptional, Development Reserve Edwards Recharge Zone District on P-1A, P-1B and P-1E, NCB 34450 and P-2A, NCB 34451, 12861 Galm Road. Staff recommends approval.

City staff represented this case.

The following citizen(s) appeared to speak:

Rollette Schreckenghost, representing San Antonio Conservation Society, stated they are in support of this request.

Staff stated there were 1 notices mailed out to the surrounding property owners, 0 returned in opposition and 0 returned in favor.

COMMISSION ACTION

The motion was made by Commissioner Gray and seconded by Commissioner Myers to recommend approval.

AYES: Sherrill, J. Valadez, Westheimer, Gadberry, Myers, R. Valadez, Gray
NAY: Robbins

Commissioner Martinez arrived at 1:46 pm.

THE MOTION CARRIED

17. ZONING CASE NUMBER Z2008242 ERZD (Council District 8): A request for a change in zoning from "R-6 ERZD" Residential Single-Family, Edwards Recharge Zone District to "HE R-6 ERZD" Historic Exceptional, Residential Single-Family, Edwards Recharge Zone District on 3.30 acres out of NCB 14615, 12347 Woller Road. Staff recommends approval.

City staff represented this case.

The following citizen(s) appeared to speak:

Rollette Schreckenghost, representing San Antonio Conservation Society, stated they are in support of this request.

Ken Brown, representing Centex Homes and the property owner, stated they are in opposition of the Historic Exceptional designation. He stated he has visited the property and has been informed by the property owner that there have made numerous renovations to the structure. He does not feel this structure meets the criteria for Historic Exceptional.

Staff stated there were 15 notices mailed out to the surrounding property owners, 0 returned in opposition and 0 returned in favor.

COMMISSION ACTION

The motion was made by Commissioner R. Valadez and seconded by Commissioner Myers to recommend denial.

AYES: J. Valadez, Myers, Martinez, R. Valadez
NAY: Sherrill, Robbins, Westheimer, Gadberry, Gray

THE MOTION FAILS

COMMISSION ACTION

The motion was made by Commissioner Gadberry and seconded by Commissioner Gray to recommend approval.

AYES: Sherrill, Robbins, Westheimer, Gadberry, Gray
NAY: J. Valadez, Myers, Martinez, R. Valadez

THE MOTION FAILS

COMMISSION ACTION

The motion was made by Commissioner Gray and seconded by Commissioner R. Valadez to recommend a continuance until October 7, 2008.

AYES: Sherrill, Robbins, J. Valadez, Gadberry, Myers, Martinez, R. Valadez, Gray

NAY: Westheimer

THE MOTION CARRIED

18. ZONING CASE NUMBER Z2008247 ERZD (Council District 8): A request for a change in zoning from "C-2" Commercial District and "C-2 ERZD" Commercial Edwards Recharge Zone District to "MF-33" Multi-Family District and "MF-33 ERZD" Multi-Family Edwards Recharge Zone District on 14.744 acres out of NCB 14615, 8122 West Hausman. Staff recommends approval.

Patrick Christensen, applicant, stated he would like to request a two week continuance to meet with the neighborhood association.

Staff stated there were 12 notices mailed out to the surrounding property owners, 2 returned in opposition and 1 returned in favor and no response from Woller Creek Association.

COMMISSION ACTION

The motion was made by Commissioner R. Valadez and seconded by Commissioner Robbins to recommend a continuance until October 7, 2008.

AYES: Sherrill, Robbins, J. Valadez, Westheimer, Gadberry, Myers, Martinez, R.

Valadez, Gray

NAY: None

THE MOTION CARRIED

19. ZONING CASE NUMBER Z2008211 (Council District 1): A request for a change in zoning from "I-1 RIO-2" General Industrial River Improvement Overlay District 2 to "D RIO-2" Downtown River Improvement Overlay District 2 on 0.203 acres out of NCB 441, 630 Broadway. Staff recommends denial.

Geraldo Menchaca, representative, stated he would like to request a 30-day continuance.

Staff stated there were 25 notices mailed out to the surrounding property owners, 0 returned in opposition and 1 returned in favor. Staff mailed 161 notices to the Planning Team.

COMMISSION ACTION

The motion was made by Commissioner Westheimer and seconded by Commissioner Gadberry to recommend a continuance until October 21, 2008.

AYES: Sherrill, Robbins, J. Valadez, Westheimer, Gadberry, Myers, Martinez, Gray

NAY: None

THE MOTION CARRIED

20. ZONING CASE NUMBER Z2008212 (Council District 1): A request for a change in zoning from "I-1 RIO-2" General Industrial River Improvement Overlay District 2 to "D RIO-2" Downtown River Improvement Overlay District 2 on Lot 8 and the northeast 44.61 feet of Lot 7, Block 3, NCB 446, 702 Broadway. Staff recommends denial.

Geraldo Menchaca, representative, stated he would like to request a 30-day continuance.

Staff stated there were 23 notices mailed out to the surrounding property owners, 0 returned in opposition and 1 returned in favor. Staff mailed 161 notices to the Planning Team.

COMMISSION ACTION

The motion was made by Commissioner Westheimer and seconded by Commissioner Martinez to recommend a continuance until October 21, 2008.

AYES: Sherrill, Robbins, J. Valadez, Westheimer, Gadberry, Myers, Martinez, Gray

NAY: None

THE MOTION CARRIED

21. ZONING CASE NUMBER Z2008214 S (Council District 1): A request for a change in zoning from "C-2" Commercial District to "C-2 S" Commercial District with a Specific Use Authorization for a Wireless Communication System on 0.0094 acres out of NCB 10064, 906 Oblate Drive. Staff recommends denial.

Vince Huebinger, representative, stated the purpose of this request is to allow for a wireless communication tower.

Commissioner Wright arrived at 2:21.

Staff stated there were 13 notices mailed out to the surrounding property owners, 0 returned in opposition and 0 returned in favor and no response from Shearer Hills-Ridgeview Neighborhood Association. Staff mailed 74 notices to the Planning Team.

COMMISSION ACTION

The motion was made by Commissioner Westheimer and seconded by Commissioner Gadberry to recommend approval.

AYES: Sherrill, Robbins, J. Valadez, Westheimer, Gadberry, Myers, Wright, Martinez

NAY: Gray

THE MOTION CARRIED

22. ZONING CASE NUMBER Z2008224 CD (Council District 1): A request for a change in zoning from "C-2" Commercial District to "C-2 CD" (CD-Motor Vehicle Sales) Commercial District with a Conditional Use for a Motor Vehicle Sales on Lot 1 and the west 12.5 feet of Lot 2, Block 174, NCB 9083, 2514 West Avenue. Staff recommends denial.

Luis Camacho, applicant, stated the purpose of this request is to allow for a used auto sales lot on the subject property.

The following citizen(s) appeared to speak:

Bonnie Garcia, stated she strongly opposes this zoning request. She stated there are several existing car lots in the neighborhood. She stated Mr. Camacho is and has been illegally operating his car lot. Mr. Camacho does not have any permits and or a Certificate of Occupancy. She expressed concerns with the increase in traffic, noise and light pollution that would harass the neighborhood.

Raymond Powlesson, stated he is in opposition of this request. He stated Mr. Camacho continuously parks his vehicles on the street, he has asked him numerous times to move the vehicles, and they make it difficult to enter and/or exit the street.

Staff stated there were 29 notices mailed out to the surrounding property owners, 4 returned in opposition and 1 returned in favor and Northwest Los Angeles Heights and Dellview Area Neighborhood Associations are in opposition. Staff mailed 32 notices to the Planning Team. Staff received a letter expression their opposition from Dellview Area Neighborhood Association.

COMMISSION ACTION

The motion was made by Commissioner Westheimer and seconded by Commissioner Martinez to recommend denial.

AYES: Sherrill, Robbins, J. Valadez, Westheimer, Gadberry, Myers, Wright, Martinez, Gray
NAY: None

THE MOTION CARRIED

23. ZONING CASE NUMBER Z2008229 (Council District 4): A request for a change in zoning from "MI-1" Mixed Light Industrial District to "HE MI-1" Historic Exceptional, Mixed Light Industrial District on Parcel 2, CB 4297, at the northeast corner of the State Highway 16 South and Lone Star Pass intersection. Staff recommends approval

City staff represented this case.

The following citizen(s) appeared to speak:

Rollette Schreckenghost, representing San Antonio Conservation Society, stated they are in support of this request.

Arthur Uhl, representing the property owners, stated he would like to request for a 4-month continuance to further review this case with City staff, as they have not received any type of notification.

Staff stated there were 20 notices mailed out to the surrounding property owners, 1 returned in opposition and 0 returned in favor. Staff mailed 80 notices to the Planning Team.

COMMISSION ACTION

The motion was made by Commissioner Myers and seconded by Commissioner Westheimer to recommend a continuance until October 7, 2008.

AYES: Sherrill, Robbins, J. Valadez, Westheimer Gadberry, Myers, Wright, Martinez, Gray
NAY: None

THE MOTION CARRIED

24. ZONING CASE NUMBER Z2008252 (Council District 9): A request for a change in zoning from "R-5" Residential Single-Family District to "MF-25" Multi-Family District on Lot 51, NCB 11880, 1519 West Lawndale Drive. Staff recommends approval.

Beth Wasserstrum, owner, stated she is requesting this change in zoning to allow for townhome development. She feels this development would have a positive impact in the community.

The following citizen(s) appeared to speak:

Emilia Benavides, spoke in opposition. She expressed concerns with these townhomes being rental units as this may attract transits into the neighborhood.

Elena Castillo, stated she strongly opposes this request. She stated they are existing drainage, traffic and parking issues that need to be addressed and is concerned this development would only increase such problems. She also expressed concerns with the townhomes being rental units.

Carlos Valdez, stated his is also in opposition of this request. He would like to express the same concerns as Mrs. Castillo.

Staff stated there were 29 notices mailed out to the surrounding property owners, 0 returned in opposition and 2 returned in favor.

COMMISSION ACTION

The motion was made by Commissioner Wright and seconded by Commissioner Robbins to recommend a continuance until October 7, 2008.

AYES: Sherrill, Robbins, J. Valadez, Westheimer, Gadberry, Wright, Martinez, Gray

NAY: None

THE MOTION CARRIED

25. ZONING CASE NUMBER Z2008250 (Council District 1): A request for a change in zoning from "I-1 RIO-2" General Industrial River Improvement Overlay District-2 to "IDZ RIO-2" Infill Development, River Improvement Overlay District-2 with uses permitted in "C-3" General Commercial District, "D" Downtown District, "MF-50" Multi-Family District and the following additional uses: 1. Beverage manufacture or microbrewery (alcohol or non-alcohol) and water distillation, purification and bottling. 2. Fabrication and manufacturing of artisan goods and products including furniture, cabinetry, wood products, metalwork and metal products, bread, candy and other food products, leather products, clothing, glass and tile. 3. The fabrication and manufacturing of prototypes developed or conceived by any college, university, trade school, institute or other educational facility. 4. The fabrication of glass and metal products on 1.602 acres out of NCB 6791, 102 E. Grayson Street and 1366 E. Elmira Street. Staff recommends approval pending Plan Amendment.

Frank Burney, representative, stated he would like to amend his request as staff has recommended to prohibit the following uses:

- Used Auto sales
- Auto sales
- Auto and light truck repair
- Auto muffler installation
- Auto upholstery
- Taxi services
- Medical wholesales
- Home improvement center
- Gasoline station with repair and car wash
- Lawnmower repair
- Tool rental

He stated their intent is to allow for mixed commercial use development. He further stated he has been in contact with the Neighborhood Association who are also in support.

Staff stated there were 23 notices mailed out to the surrounding property owners, 0 returned in opposition and 0 returned in favor and no response from Tobin Hill Neighborhood Association and Tobin Hill Residents Association. Staff has mailed out 26 notices to the Planning Team.

FINDING OF CONSISTENCY OF THE MASTER PLAN

COMMISSION ACTION

The motion was made by Commissioner Westheimer and seconded by Commissioner Wright to find consistent with the neighborhood plan.

(A verbal vote was taken)

AYES: Sherrill, Robbins, J. Valadez, Westheimer, Gadberry, Wright, Martinez

NAYS: None

RECUSED: Gray

THE MOTION CARRIED

COMMISSION ACTION

The motion was made by Commissioner Westheimer and seconded by Commissioner Wright to recommend approval as amended.

AYES: Sherrill, Robbins, J. Valadez, Westheimer, Gadberry, Wright, Martinez

NAY: None

RECUSED: Gray

THE MOTION CARRIED

26. ZONING CASE NUMBER Z2008251 (Council District 1): A request for a change in zoning from "C-3NA RIO-2" General Commercial, Nonalcoholic Sales, River Improvement Overlay District-2 to "IDZ RIO-2" Infill Development Zone, River Improvement Overlay District-2 with uses permitted in "C-3" General Commercial District, "D" Downtown District "MF-50" Multi-Family District and the following additional uses: 1. Beverage manufacture or microbrewery (alcohol or non-alcohol) and water distillation, purification and bottling. 2. Fabrication and manufacturing of artisan goods and products including furniture, cabinetry, wood products, metalwork and metal products, bread, candy and other food products, leather products, clothing, glass and tile. 3. The fabrication and manufacturing of prototypes developed or conceived by any college, university, trade school, institute or other educational facility. 4. The fabrication of glass and metal products on .465 acres out of NCB 1758, 101 Newell. Staff recommends approval pending Plan Amendment.

Frank Burney, representative, stated he would like to amend his request as staff has recommended to prohibit the following uses:

- Used Auto sales
- Auto sales
- Auto and light truck repair
- Auto muffler installation
- Auto upholstery
- Taxi services
- Medical wholesales
- Home improvement center
- Gasoline station with repair and car wash
- Lawnmower repair
- Tool rental

He stated their intent is to allow for mixed commercial use development.

Staff stated there were 18 notices mailed out to the surrounding property owners, 0 returned in opposition and 2 returned in favor and no response from Tobin Hill Neighborhood Association and Tobin Hill Residents Association. Staff has mailed out 26 notices to the Planning Team.

FINDING OF CONSISTENCY OF THE MASTER PLAN

COMMISSION ACTION

The motion was made by Commissioner Westheimer and seconded by Commissioner Martinez to find consistent with the neighborhood plan.

(A verbal vote was taken)

AYES: Sherrill, Robbins, J. Valadez, Westheimer, Gadberry, Wright, Martinez

NAYS: None

RECUSED: Gray

THE MOTION CARRIED

COMMISSION ACTION

The motion was made by Commissioner Westheimer and seconded by Commissioner Wright to recommend approval as amended.

AYES: Sherrill, Robbins, J. Valadez, Westheimer, Gadberry, Wright, Martinez

NAY: None

RECUSED: Gray

THE MOTION CARRIED

27. ZONING CASE NUMBER Z2008233 CD S (Council District 2): A request for a change in zoning from "I-2" Heavy Industrial District, "I-1" General Industrial District, "HS I-1" Historic Significant, General Industrial District, "C-2" Commercial District and "MF-33" Multi-Family District to "C-2 P" Commercial Pedestrian District, "C-2 P CD" Commercial Pedestrian District with a Conditional Use for a Bar or Tavern, "C-2 P CD" Commercial Pedestrian District with a Conditional Use for Outside Storage, "C-2 P CD" Commercial Pedestrian District with a Conditional Use for Warehousing, "C-2 P HS" Historic Significant, Commercial Pedestrian District, "C-2 P S" Commercial Pedestrian District with a Specific Use Authorization for a Hotel/ Motel, "IDZ R-4 CD, C-2 P" Infill Development Zone with uses permitted in "R-4" Residential Single-Family District with a Conditional Use for a Duplex and Commercial Pedestrian District, "IDZ R-6, C-2 P" Infill Development Zone with uses permitted in "R-6" Residential Single-Family District and Commercial Pedestrian District, "IDZ R-6, C-2 P S" Infill Development Zone with uses permitted in "R-6" Residential Single-Family District and Commercial Pedestrian District with a Specific Use Authorization for a Bus Maintenance Facility, "IDZ R-6, C-2 P S" Infill Development Zone with uses permitted in R-6 Residential Single-Family District and Commercial Pedestrian District with a Specific Use Authorization for a Wireless Communication Tower, "O-2" Office District, "R-4" Residential Single-Family District, "R-5" Residential Single-Family District, "R-5 CD" Residential Single-Family District with a Conditional Use for a Fourplex, "R-5 CD" Residential Single-Family District with a Conditional Use for a Multi-Family Dwelling, "R-6" Residential Single-Family District, "R-6

CD" Residential Single-Family District with a Conditional Use for a Duplex, "R-6 CD" Residential Single-Family District with a Conditional Use for an Office, "R-6 CD" Residential Single-Family District with a Conditional Use for a Triplex, "R-6 CD" Residential Single-Family District with a Conditional Use for a Commercial Parking Lot, and "R-6 CD" Residential Single-Family District with a Conditional Use for a Multi-Family Dwelling on Multiple properties bounded by Ft. Sam Houston to the north and east, IH 35 to the south and New Braunfels to the west. Staff recommends approval of Phase I, pending the Government Hill Plan Update.

City staff represented this case.

The following citizen(s) appeared to speak:

Dan Steinke, representing Government Hill Alliance, stated they strongly support this zoning request. He stated this would help preserve and maintain the residential character of the neighborhood. He further stated they have attended many meetings and continuously been working with City Staff regarding this rezoning.

Alexander Villarreal, stated he own property within this proposed zoning area and would like to request his property be exempt from this project. He is concerned with the negative impact this change would have on his property.

Robert Brown, stated he is concerned with how this proposed zoning change will affected the neighborhood. He feels more time is needed to assess the information.

Staff stated there were 508 notices mailed out to the surrounding property owners, 6 returned in opposition and 6 returned in favor and Government Hill Alliance is in favor. Staff mailed 10 notices to the Planning Team.

FINDING OF CONSISTENCY OF THE MASTER PLAN

COMMISSION ACTION

The motion was made by Commissioner Gray and seconded by Commissioner Robbins to find inconsistent with the neighborhood plan.

(A verbal vote was taken)

AYES: Sherrill, Robbins, J. Valadez, Westheimer, Gadberry, Wright, Martinez, Gray

NAYS: None

THE MOTION CARRIED

COMMISSION ACTION

The motion was made by Commissioner Gray and seconded by Commissioner Robbins to recommend approval of Phase I pending the Government Hill Plan Update.

AYES: Sherrill, Robbins, Westheimer, Gadberry, Wright, Martinez, Gray

NAYS: None

ABSTAIN: J. Valadez

THE MOTION CARRIED

28. **ZONING CASE NUMBER Z2008249 (Council District 7):** A request for a change in zoning from "I-1" General Industrial District to "L" Light Industrial District on Lot 4, Block 1, NCB 13719, 5311 Jackwood Drive. Staff recommends approval

Erica Zuniga, applicant, stated their intent is to build a church on the subject property.

The following citizen(s) appeared to speak:

Hugo Zuniga, stated he is in support of this request.

Don Freiling, spoke in opposition of this request. He expressed concerns with how this may affect his business.

Staff stated there were 10 notices mailed out to the surrounding property owners, 6 returned in opposition and 1 returned in favor.

COMMISSION ACTION

The motion was made by Commissioner Gray and seconded by Commissioner Wright to recommend approval.

AYES: Sherrill, Robbins, J. Valadez, Gadberry, Wright, Martinez, Gray

NAYS: Westheimer

THE MOTION CARRIED

29. Consideration of a request for an amendment to the Unified Development Code related to Carwashes.

Chris Looney, Senior Planner, presented item.

COMMISSION ACTION

The motion was made by Commissioner Martinez and seconded by Commissioner Westheimer to recommend denial.

AYES: Robbins, J. Valadez, Westheimer, Gadberry, Wright, Martinez, Gray

NAYS: None

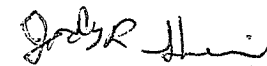
ABSTAIN: Sherrill

THE MOTION CARRIED

30. ADJOURNMENT.

There being no further business, the meeting was adjourned at 5:15 p.m.

APPROVED:


Jody R. Sherrill, Chair

ATTEST:


Executive Secretary